

IN RE: PETITION FOR ADMINISTRATIVE	* BEFORE THE
ZONING VARIANCE	
NE/S Fairbrook Road, 245 ft.	* ZONING COMMISSIONER
NW of Greengage Road	
7246 Fairbrook Road	* OF BALTIMORE COUNTY
1st Election District	
2nd Councilmanic District	* Case No. 97-43-A
Patrice Wilson	
Petitioner	

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Patrice Wilson for that property known as 7246 Fairbrook Road in the Chadwick Manor subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 211.3, 214.1 and 301.1 (1955 regs.) of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback, in lieu of the required 12 ft., for an attached carport, in a D.R.5.5 zone. The subject property and requested relief is more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER RECEIVED FOR FILING

Date: 8/30/96

By: M. [Signature]

**MICROFILMED**

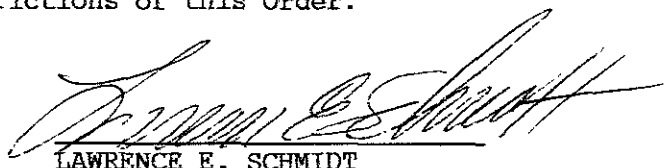


upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30<sup>th</sup> day of August, 1996 that the Petition for a Zoning Variance from Sections 211.3, 214.1 and 301.1 (1955 regs.) of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback, in lieu of the required 12 ft., for an attached carport, in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING  
Date 8/30/96  
By [Signature]

LES:mmm



Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

August 29, 1996

Ms. Patrice Wilson  
7246 Fairbrook Road  
Woodlawn, Maryland 21244

RE: Petition for Administrative Variance  
Case No. 97-43-A  
Property: 7246 Fairbrook Road

Dear Ms. Wilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:ramn  
encl.

MICROFILMED







# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 7246 FAIRBROOK Rd.  
 which is presently zoned DR-55

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 211.3, 214.1 AND 301.1 (1955 REGS)

*12*  
 ADMINISTRATIVE VARIANCE FOR: A 2' SIDE YARD SETBACK IN LIEU OF THE  
 REQUIRED ~~7~~ <sup>12</sup> FT. SIDE YARD SETBACK IN ORDER TO  
 CONSTRUCT 12' W X 28' DEEP OPEN CARPORT EAST WALL OF BUILDING.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

CHRONIC WATER DAMAGE TO BASEMENT EAST WALL  
 TO PARTIALLY SOLVE CHRONIC WATER DAMAGE,  
 CAUSED BY 2 IN. WIDE GAP IN EAST WALL OF  
 HOUSE BETWEEN OUTSIDE BRICK & INSIDE FRAME  
 WALL & TO PROVIDE NEEDED OPEN CARPORT  
 TO SHELTER FAMILY AUTOMOBILE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Address

Phone No

Signature

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No

Name

City

State

Zipcode

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: *[Signature]*

DATE

*8/1/96*

ESTIMATED POSTING DATE

*8/11/96*



Printed with Soybean Ink  
on Recycled Paper

ITEM #:

*47*

MICROFILMED



# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7246 FAIRBROOK Rd.  
address  
WOODLAWN, MARYLAND 21244  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) AS SHOWN ON PLATS PROVIDED DUE TO BUILDING SETTLEMENT, A PROBLEM HAS ARISED WITHIN THE EAST WALL WHICH IS A 2 INCH GAP BETWEEN THE BRICK OUTSIDE WALL & THE FRAME INSIDE WALL RESULTING IN CHRONIC WATER DAMAGE TO BASEMENT & FOUNDATION OF EAST WALL. A PRACTICAL SOLUTION NEEDED SHELTERED OFF STREET PARKING FOR OUR FAMILY CAR IS TO CONSTRUCT A DESIRED 12' W X 28' D OPEN CARPORT WITH AN A FRAME ROOF TO KEEP WATER FROM GOING BEHIND BRICK WALL (SEE CONTIGUOUS DRAWING ENCLOSED). THE PROPOSED STRUCTURE 12' W IN FRONT & 28' D DEEP VIOLATES REQUIRED 7 1/2 FT. SIDE YARD SETBACK FOR ADDITIONAL STRUCTURES BY 5 FT.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Patrice Wilson 63096  
(signature)  
PATRICE WILSON  
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30TH day of JUNE, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PATRICE WILSON

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/3/96  
date

James E. Reid  
NOTARY PUBLIC  
My Commission Expires: 03/03/96



# EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

97-43-A

ZONING DESCRIPTION FOR 7246 FAIRBROOK Rd.  
(address)

Beginning at a point on the NORTH EAST side of  
(north, south, east or west)

FAIRBROOK Rd. which is 70 FT.  
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 245± NORTH WEST of the  
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street GREENGAGE RD.  
(name of street)

which is 70 FT. wide. \*Being Lot # 16  
(number of feet of right-of-way width)

Block N, Section # IV-A in the subdivision of CHADWICK MANOR  
(name of subdivision)

as recorded in Baltimore County Plat Book # WJR-28 Folio # 36

containing 6,875± sq. ft. Also known as 7246 FAIRBROOK Rd.  
(square feet or acres) (property address)

and located in the 1st Election District, 2ND Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_, Folio \_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

#47

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**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

97-43-A

District 1st. Date of Posting 9/9/96  
Posted for: Variances  
Petitioner: Patrice Wilson  
Location of property: 7246 Fairbrook Rd  
Location of Signs: Facing driveway on property being zoned  
Remarks: \_\_\_\_\_  
Posted by W. Stealy Date of return: 8/16/96  
Signature  
Number of Signs: 6



RECORDED







Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 41 Petitioner: PATRICK WILSON  
Location: 7246 FAIRBROOK RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PATRICK WILSON  
ADDRESS: 7246 FAIRBROOK RD.  
WOODLAWN, MD. 21244  
PHONE NUMBER: # 944-8412





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 9, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-43-A (Item 47)  
7246 Fairbrook Road  
NE/S Fairbrook Road, 245' NW of Greengage Road  
1st Election District - 2nd Councilmanic  
Legal Owner(s): Patrice Wilson

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before August 11, 1996. The closing date (August 26, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Patrice Wilson

MICROFILMED





# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

*[Signature]*  
BUILDINGS ENGINEER





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 21, 1996

Ms. Patrice Wilson  
7246 Fairbrook Road  
Baltimore, MD 21244

RE: Item No.: 47  
Case No.: 97-43-A  
Petitioner: Patrice Wilson

Dear Ms. Wilson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

MICROFILMED





Baltimore County Government  
Department of Community Development



One Investment Place Suite 800  
Towson, MD 21204

887-3317  
Fax 887-5696



Office of the Fire Marshal  
(410) 887-4880

1





BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

DATE: Aug. 13, 1996

SUBJECT: Zoning Advisory Committee  
Meeting Date: Aug 12, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

43

52

44

53

45

54

47

48

49

50

51

RBS:sp

BRUCE2/DEPRM/TXTSBP

RECORDED  
INDEXED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: August 8, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 47, 49, 50, 51, and 53

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Darryl L. Kerns*

PK/JL



To Zoning

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: August 16, 1996

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for August 19, 1996  
Item Nos. 043, 045, 046, 047, 050,  
051, and 053

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE22

11/03/96



Baltimore County Government  
Department of Community Development



One Investment Place Suite 800  
Towson, MD 21204

887-3317  
Fax 887-5696



47

James E. Reid/Zoning Consultant/Draftsman  
408 E. Eager Street  
Baltimore Maryland 21202  
301-837-1265

CONTRACT-INVOICE

CUSTOMER: Name: PATRICE WILSON  
Address: 7246 FAIRBROOK ROAD  
WILDCAT AVE. 21244  
Telephone: 4944-8982

Per your order/Date: 6/12/96  
PROPERTY ADDRESS: 7246 FAIRBROOK Rd.  
ADMINISTRATIVE VARIANCE,

<input checked="" type="checkbox"/> Consultation	\$ <u>100.00</u>
<input type="checkbox"/> Floor Plans	\$ _____
<input checked="" type="checkbox"/> Area Plats	\$ <u>150.00</u>
<input type="checkbox"/> Zoning Sign*	\$ _____
<input type="checkbox"/> Sign Installation	\$ _____

Total Cost	\$ <u>250.00</u> + 2 HR RESEARCH = <u>300.00</u>	Date Received	<u>PHOTOS + 40.00</u>
Deposit	\$ _____	Date Received	<u>340.00</u>
Balance Due	\$ <u>340.00</u>		

25.00 per hr. additional For Research SERVICES.

TERMS: 100 % down Balance due upon completion of drawings  
C.O.D.

\* Zoning signs prepared upon receipt of wording

6-12-96  
Patrice Wilson  
AUTHORIZED SIGNATURE

6/12/96  
DATE



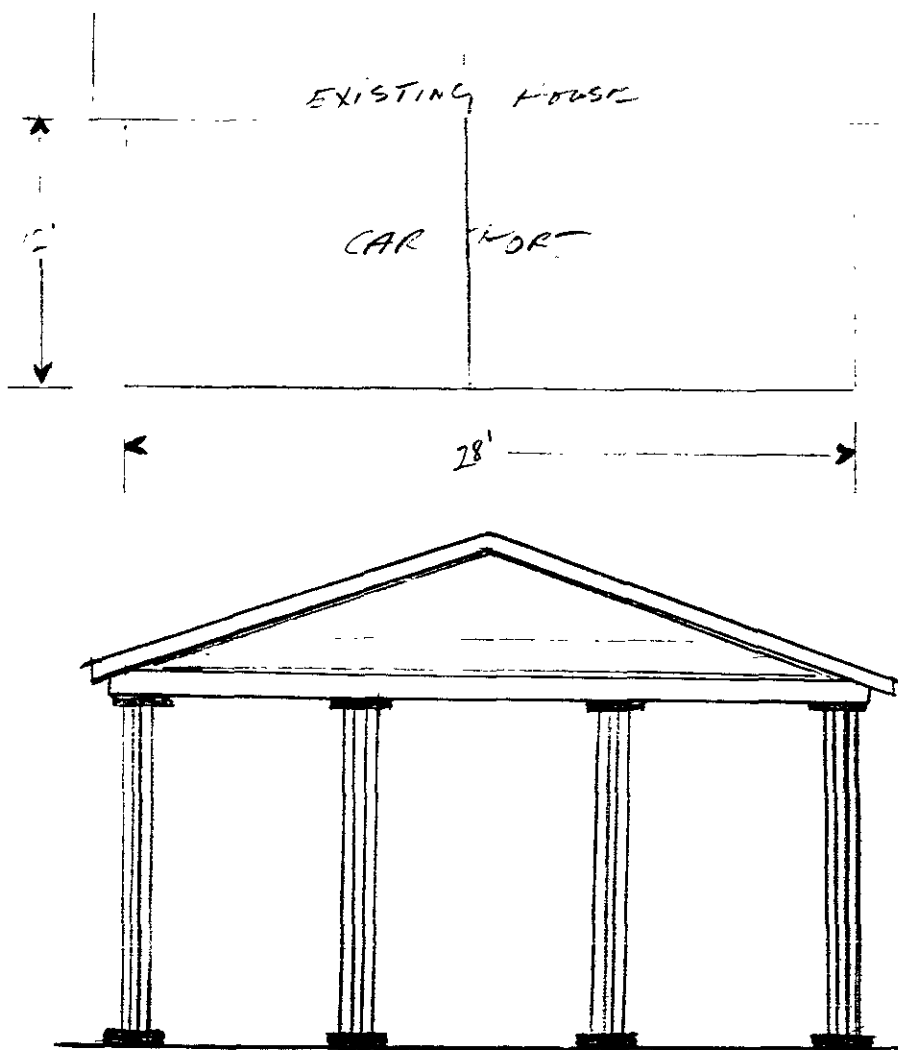
47

DRIVEWAY:

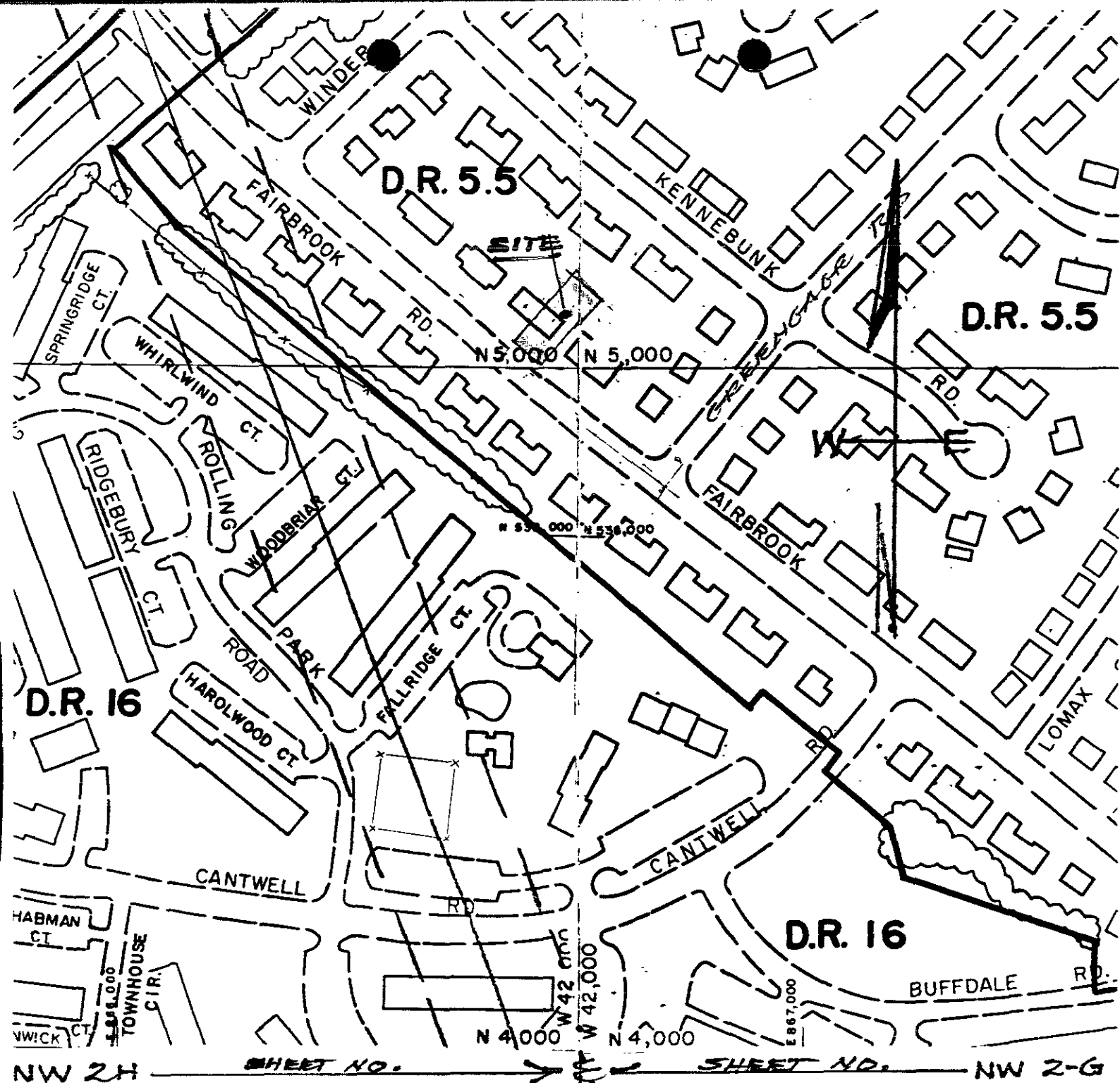
1. INSTALL CONCRETE DRIVEWAY APPROX. 800 S/F. 4" THICK WITH GRAVEL BASE. FORM AND PLACE #10 WWM PLACE EXPANSION JOINTS AS NEEDED. FINISH AND REMOVE FORMS. INSTALL CORRUGATED PIPES FOR UNDERGROND DRAINAGE.

CARPORT:

2. INSTALL CARPORT APPROX. 12'X28' WITH FOUR (4) 4"X4" PRESSURE TREATED SUPPORT POST WITH 2"X10" DOUBLE PLATED HEADERS, A FRAME ROOF WITH 2"X4" RAFTER AND CEILING JOINTS COVERED WITH 1/2" CDX PLYWOOD SHEATHING COVERED WITH #15 FELT PAPER AND 20 YR. FIBERGLASS SHINGLES, TWO (2) ALUMINUM GUTTERS AND DOWNSPOUTS. INSTALL VINYL SIDING ON GABLE END TO MATCH EXISTING SIDING. TRIM ALL FASCIA WORK WITH WHITE ALUMINUM COIL STOCK. COVER UNDERSIDE WITH WHITE VINYL SOFFIT. INSTALL FOUR (4) WHITE ALUMINUM COLUMNS. REMOVE ALL DEBRIS FROM PREMISES.







1" = 200' SCALE  
ZONING MAP

#7246 FAIRBROOK RD.  
CHADWICK MANOR  
97-43-A

#A1

UNRECORDED



PROPERTY ADDRESS: 7246 FAIRBROOK Rd.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: CHADWICK MANOR

plat book # <sup>WJR</sup> 28 folio # 36, lot # 16, section # VA

OWNER: PATRICE WILSON

date: 6/24/96

prepared by: J.E. REID

Scale of Drawing: 1"=30'

I hereby certify that I have examined Flood Insurance Rate Map Panel No. ZAOO-0510-B, identified for the subject property, and it does not lie in an area identified as having special flood hazard. The information shown on this map shows only that the improvements indicated hereon are contained within the outlines of the lot upon which they are erected unless otherwise noted and is not to be used to establish property lines on corners.

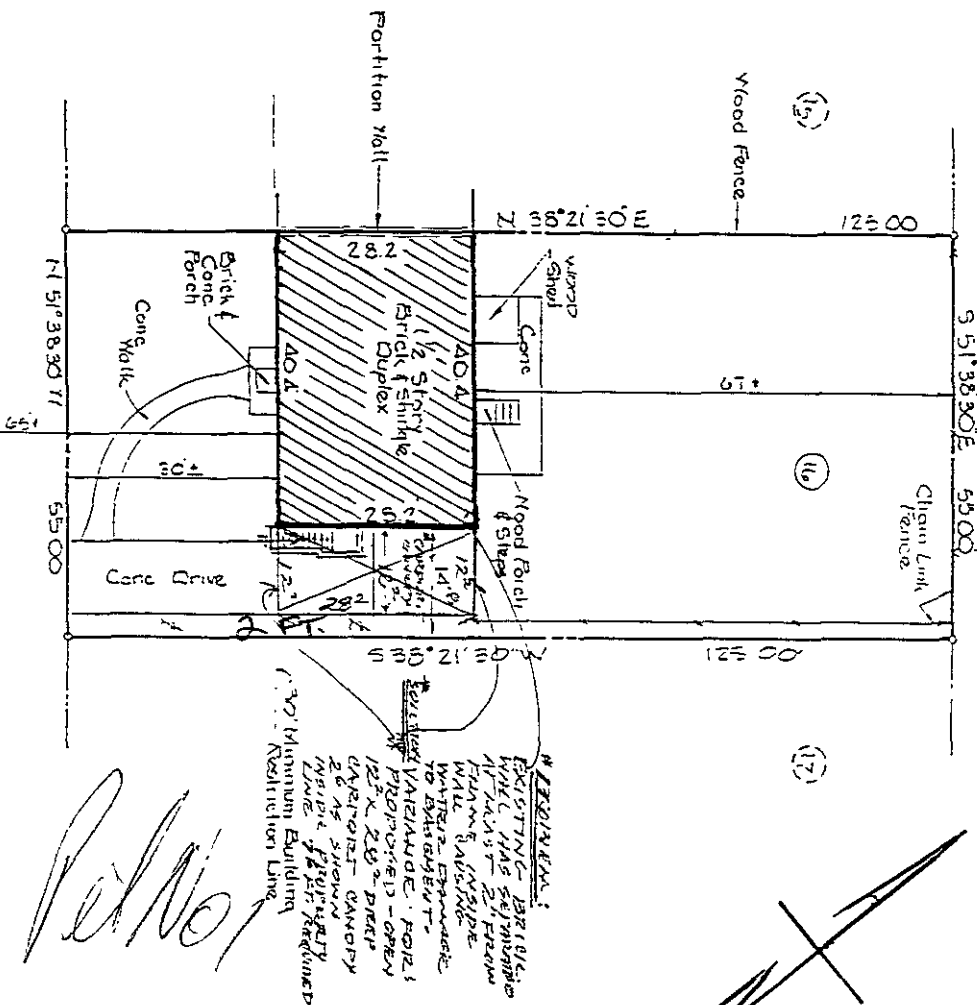
Need Reference: REVISED 05/13 AT 110  
Lot 16 Block H  
Section A

Lot 16 Block H

CHADWICK MANOR

PLAT # WJR - 28 FOLIO - 36

12 Election District Baltimore County, Md



FAIRBROOK ROAD

70 Mide

Formerly JOHN R. CAKE - EDWARDS

02/12/2019

97-43-A

Rel No.

[illegible]

LOCATION INFORMATION

Election District:

Councilmanic District: 207

1"=200' scale map#: NW 21

Zoning: **B7C 55**

Lot size: 0.1578 @ 1813

acreage square foot

**publ** **pr**

SEWER: ☒☒ WATER:

Cal Area: ☐ ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY

reviewed by:	ITEM #:	CASE#:
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74

Vicinity Map  
scale: 1"=1000'-4"

5174

WINDY RD.

GREENHILL RD.

LEMA RD.

FAIRBANKS RD.

ROLLING RD.

SITE

SECURITY BLDG

**MICROFILMED**



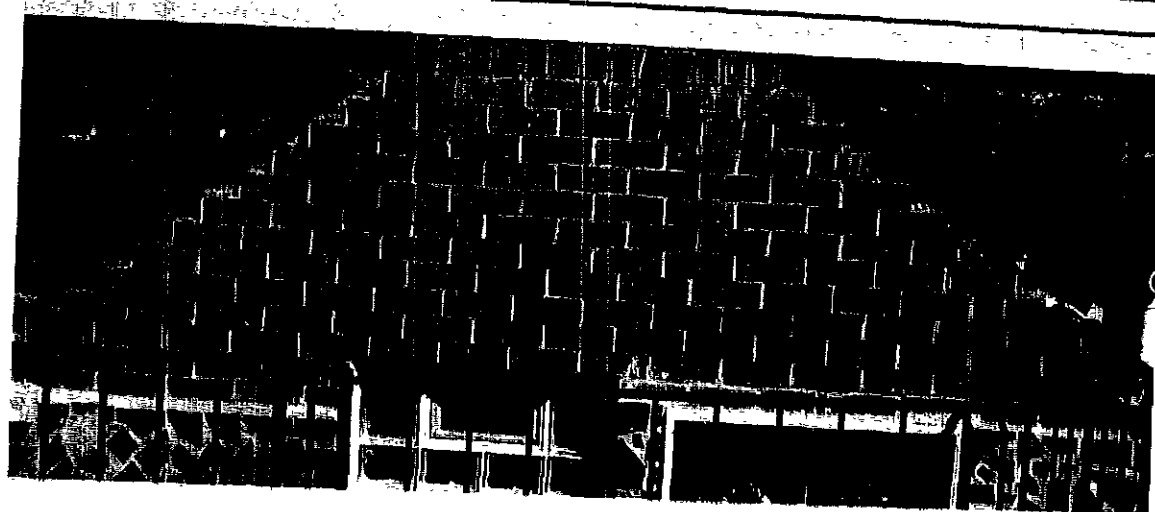
97-43-A



MICROFILMED

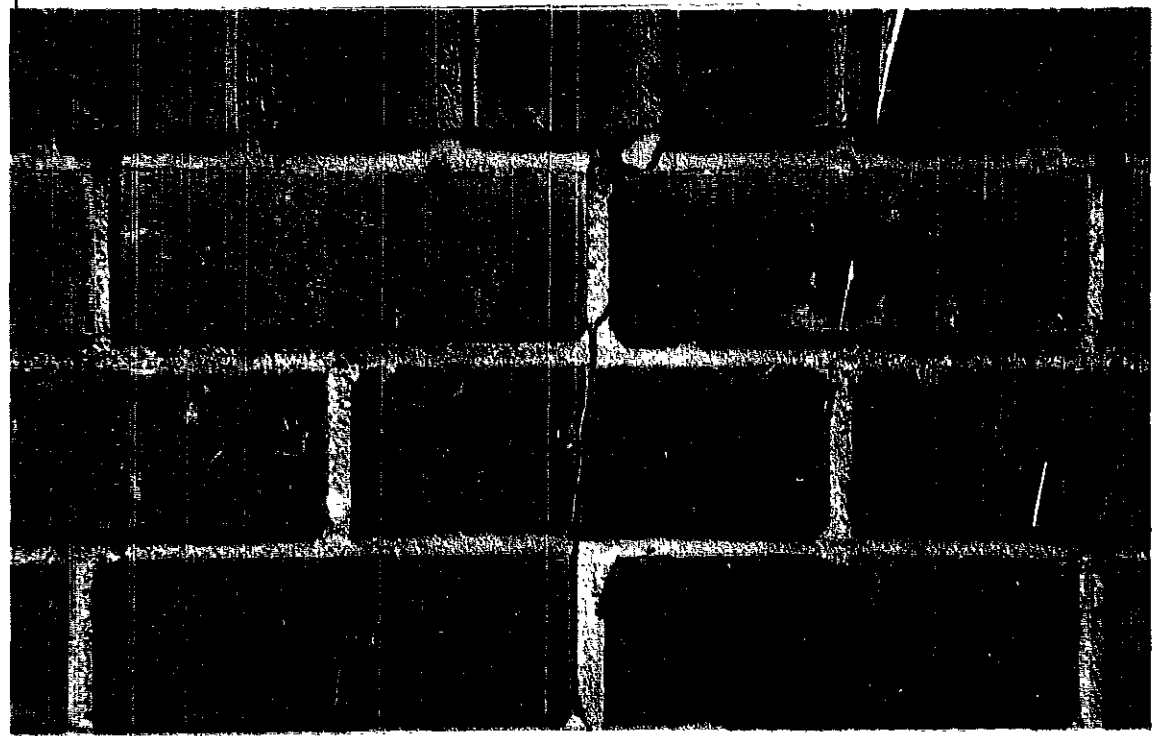
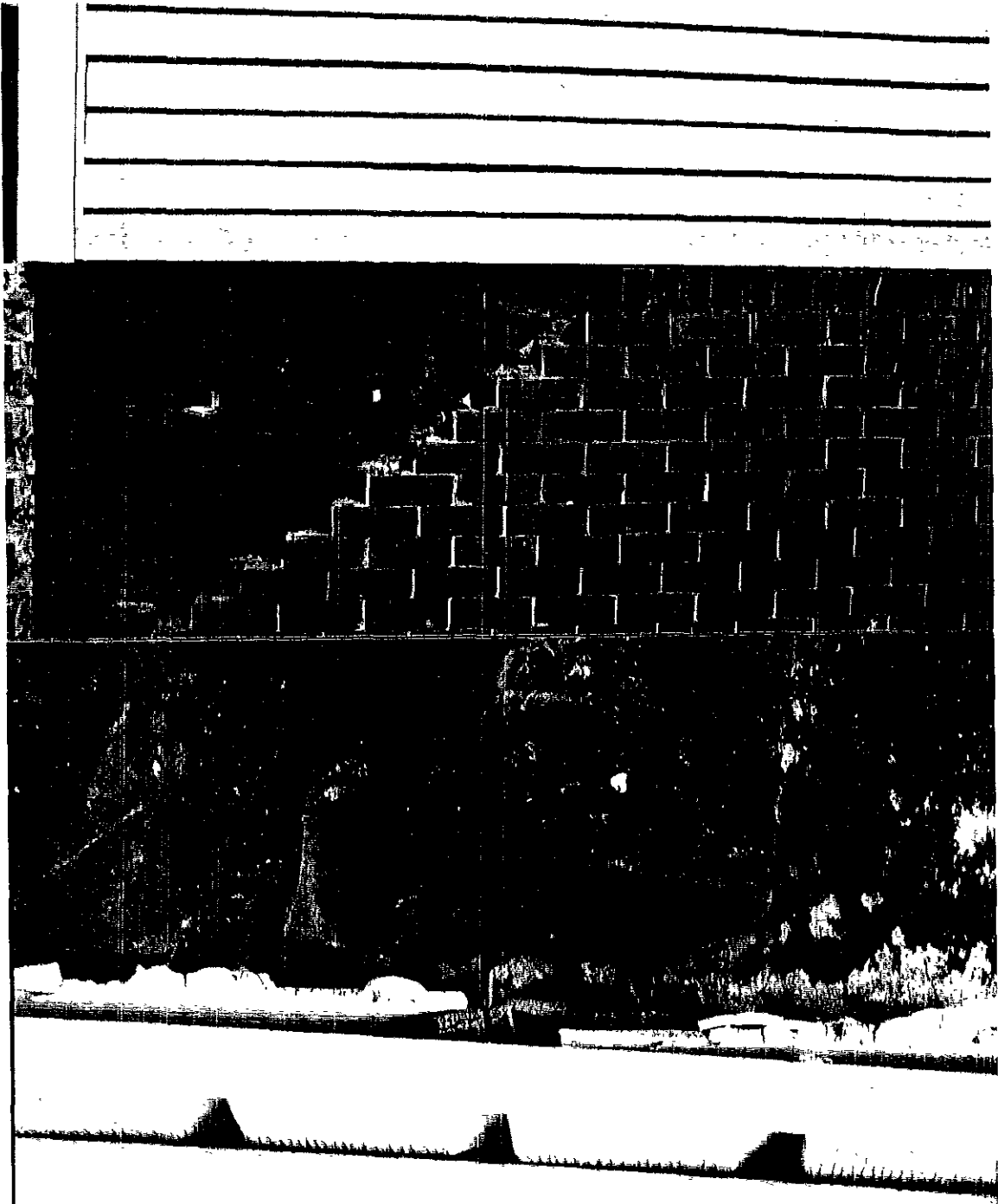


97-43-A



MICROFILM







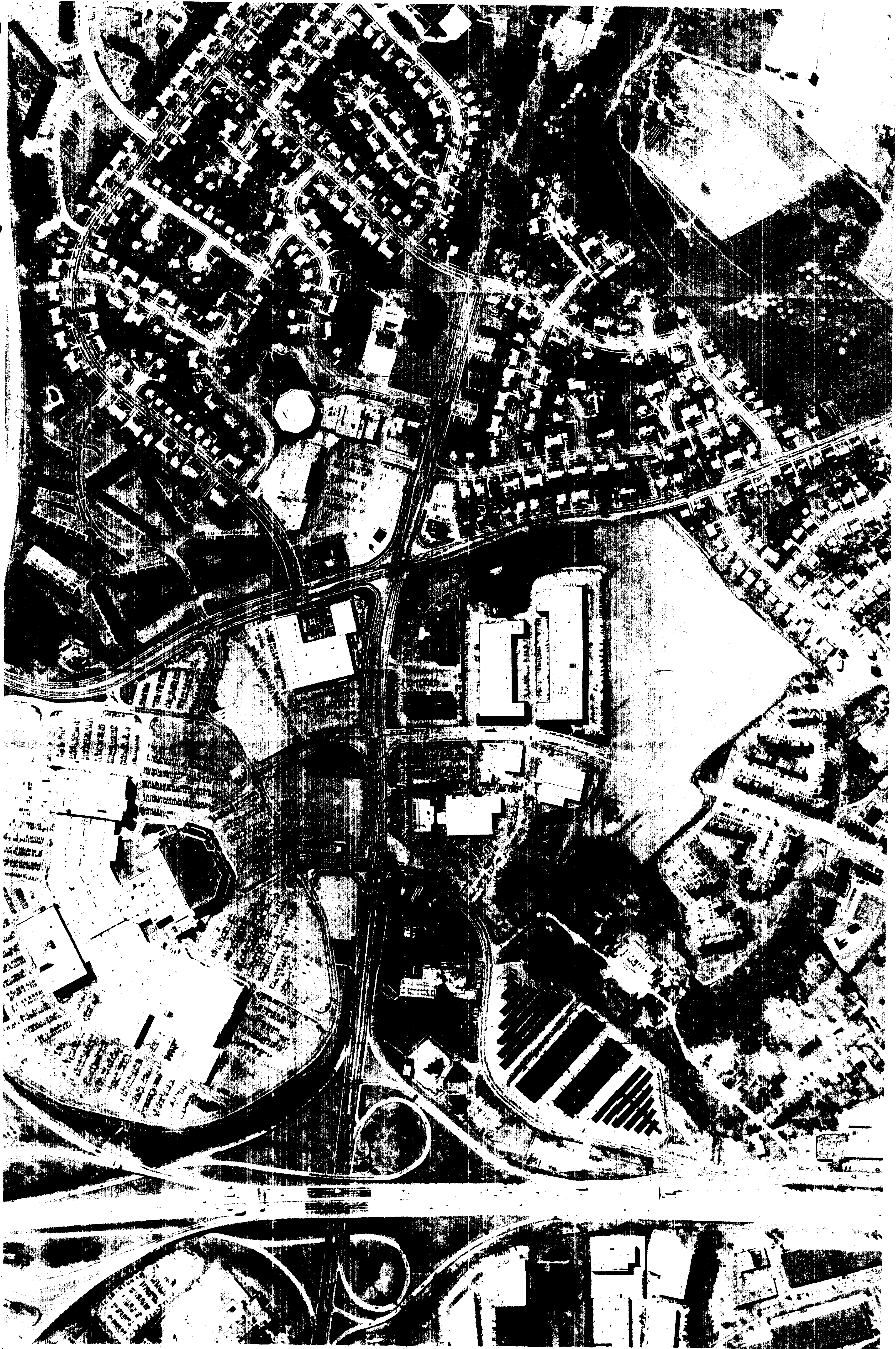
97-43-A



MICROFILMED



# 47



97-43-A

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

SCALE		LOCATION	SHEET
1" = 200' ±			
DATE		BELMONT	N.W. 2-G
PHOTOGRAPHY			
JANUARY			
1986			

MICROFILMED



IN RE: PETITION FOR ADMINISTRATIVE  
ZONING VARIANCE  
NE/S Fairbrook Road, 745 ft.  
NW of Greengage Road  
7246 Fairbrook Road  
1st Election District  
2nd Councilmanic District  
Patrice Wilson  
Petitioner

\* BEFORE THE  
ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-43-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Patrice Wilson for that property known as 7246 Fairbrook Road in the Chadwick Manor subdivision of Baltimore County. The Petitioner herein seeks a variance from Sections 211.3, 214.1 and 301.1 (1955 regs.) of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback, in lieu of the required 12 ft., for an attached carport, in a D.R.5.5 zone. The subject property and requested relief is more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

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upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of August, 1996 that the Petition for a Zoning Variance from Sections 211.3, 214.1 and 301.1 (1955 regs.) of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback, in lieu of the required 12 ft., for an attached carport, in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING  
Date 8/1/96  
By Patrice Wilson

LES:mmm

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

August 29, 1996

Ms. Patrice Wilson  
7246 Fairbrook Road  
Woodlawn, Maryland 21244

RE: Petition for Administrative Variance  
Case No. 97-43-A  
Property: 7246 Fairbrook Road

Dear Ms. Wilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.

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on Recycled Paper

## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 7246 FAIRBROOK RD.  
97-43-A which is presently zoned D12-55

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 211.3, 214.1 and 301.1 (1955 Regs.)

ADMINISTRATIVE VARIANCE FOR: A 2 SIDE YARD SETBACK IN LIEU OF THE REQUIRED 12 FT. SIDE YARD SETBACK. IN ORDER TO CONSTRUCT 12' W X 24' DEEP OPEN CARPORT. EXISTING ZONING: D12-55. REASON: CHRONIC WATER DAMAGE TO BASEMENT EAST WALL CAUSED BY 2' WIDE CRACK IN EAST WALL OF HOUSE BETWEEN OUTSIDE BRICK & INSIDE FRAME WALL & TO PROVIDE NEEDED OPEN CARPORT TO SHELTER FAMILY AUTOMOBILE.

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchaser/Lessor  
(Type or Print Name)  
Signature  
Address  
City State Zipcode  
Attorney for Petitioner  
(Type or Print Name)  
Signature  
Address Phone No.  
City State Zipcode  
Name  
Address Phone No.

Who do I certify and after, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

PATRICE WILSON  
(Type or Print Name)  
Signature

Patrice Wilson

Signature

7246 FAIRBROOK RD. #44-8412  
WOODLAWN, MARYLAND 21244

Name Address and phone number of representative to be contacted

A Public Hearing having been required and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, to be held on or before the date specified, and that the zoning regulations of Baltimore County, in full and complete effect, shall be read and explained to the public at such hearing.

REVIEWED 8/1/96 DATE 8/1/96  
ESTIMATED FILING DATE 8/1/96  
Zoning Commissioner of Baltimore County  
ITEM # 47

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at 7246 FAIRBROOK RD.  
WOODLAWN, MARYLAND 21244

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: AS SHOWN ON PLAT PROVIDED DUE TO BUILDING SETTLEMENT, A PROBLEM HAS ARISED WITHIN THE EAST WALL WHICH IS A 2' WIDE GAP BETWEEN THE BRICK OUTSIDE WALL & THE FRAME INSIDE WALL RESULTING IN CHRONIC WATER DAMAGE TO BASEMENT & FOUNDATION OF EAST WALL. VARIANCE PROVIDES NEEDED SHELTERED OFF STREET PARKING FOR OUR FAMILY CAR. IT IS BEING CONSTRUCTED A DEEPER ROOF TO KEEP WATER FROM GOING BEHIND BRICK WALLS. CONDITIONS PLANNING BOARD THE PROPOSED STRUCTURE IS IN ACCORD WITH ALL VIOLATES REQUIRED 12' SIDE YARD SETBACK FOR EXISTING.

The Affiant(s) acknowledge(s) that if a person is filed, Affiant(s) will be required to pay a penalty of \$100.00 per day, or may be required to provide additional information.

Signature  
PATRICE WILSON  
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I, Patrice Wilson, do hereby certify, that on the 30th day of JUNE, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PATRICE WILSON

AS WITNESS my hand and Notarial Seal

4/30/96

My Commission Expires 03/03/00

### EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description. DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Types or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 7246 FAIRBROOK RD.

(address)

Beginning at a point on the NORTH EAST side of

(North, south, east or west)

FAIRBROOK RD. which is 70 FT.

(number of feet of right-of-way width)

name of street on which property fronts)

wide at the distance of 245 FT. NORTH WEST of the

(number of feet) (North, south, east or west)

centerline of the nearest improved intersecting street GREENGAGE RD.

(name of street)

which is 70 FT. wide. "Being Lot # 16"

(number of feet of right-of-way width)

Block N Section # 1A in the subdivision of CHADWICK MANOR

(name of subdivision)

as recorded in Baltimore County Plat Book # WJR-38 Folio # 36

containing 6,815 SQ. FT. Also known as 7246 FAIRBROOK RD.

(square feet or acres) (property address)

and located in the 1st Election District, 2nd Councilmanic District.

"If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: 'As recorded in Deed Liber --- Folio ---' and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N 87° 12' 13" E 321.1 ft. S 18° 21' 02" E 87.24' S 52° 15' 00" W 318 ft. and N 08° 15' 22" W 80 ft. to the place of beginning.

#47

### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st Date of Posting 8/1/96

Posted for: Variances

Petitioner: Patrice Wilson

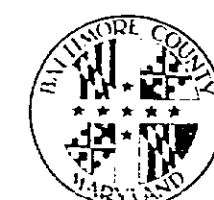
Location of property: 7246 Fairbrook Rd.

Location of Sign: Posting on property being zoned

Remarks: None

Posted by: Patrice Wilson Signature Date of return: 8/1/96

Number of Signs: 1



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JARLOW, DIRECTOR

For newspaper advertising:

Item No.: A1 Petitioner: PATRICE WILSON

Location: 7246 FAIRBROOK RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PATRICE WILSON

ADDRESS: 7246 FAIRBROOK RD.

WOODLAWN, MD. 21244

PHONE NUMBER: # 744-8412

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on Recycled Paper

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 9, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-43-A (Item 47)  
7246 Fairbrook Road  
86/8 Fairbrook Road, 245' NW of Greenage Road  
1st Election District - 2nd Councilmanic  
Legal Owner(s): Patrice Wilson

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 11, 1996. The closing date (August 26, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Patrice Wilson



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 21, 1996

Ms. Patrice Wilson  
7246 Fairbrook Road  
Baltimore, MD 21244

RE: Item No.: 47  
Case No.: 97-43-A  
Petitioner: Patrice Wilson

Dear Ms. Wilson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Subanks in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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on Recycled Paper

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4830

DATE: 08/14/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 12, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 43, 45, 46, 47, 49, 50, 51, 52, 53 AND 54.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM  
FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

DATE: Aug 13, 1996

SUBJECT: Zoning Advisory Committee  
Meeting Date: Aug 22, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 43 52  
44 53  
45 54  
47  
48  
49  
50  
51

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: August 8, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 47, 49, 50, 51, and 53

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*

Division Chief: *Caryl L. Kerns*

PK/JL

ITEM49/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: August 16, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for August 19, 1996  
Item Nos. 043, 045, 046, 047, 050,  
051, and 053

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE22

James E. Reid/Zoning Consultant/Draftsman  
408 E. Eager Street  
Baltimore Maryland 21202  
301-837-1265

CONTRACT-INVOICE

CUSTOMER: Name: *Patrice Wilson*  
Address: *7246 FAIRBROOK ROAD*  
*BALTIMORE, MD 21244*  
Telephone: *887-3391*

Per your order/Date: *6/12/96*

PROPERTY ADDRESS: *7246 FAIRBROOK Rd.*  
*ADMINISTRATIVE VARIANCE*

✓ Consultation	\$ 100.00
✓ Floor Plans	\$ 150.00
✓ Area Plans	\$ 150.00
✓ Zoning Sign *	\$ 346.00
✓ Sign Installation	\$ 346.00
Total Cost	\$ 250.00
Deposit	\$ 250.00
Balance Due	\$ 0.00

*250.00 - 242 RESEARCH = 8.00*  
*100.00 - 40.00 = 60.00*  
*100.00 - 346.00 = 250.00*  
*250.00 per hr. additional for Research Services*

TERMS: *100.00* Balance due upon completion of drawings  
C.O.D.

\* Zoning signs prepared upon receipt of wording

*6-12-96*  
*Patrice Wilson*  
AUTHORIZED SIGNATURE

*6/12/96*  
DATE

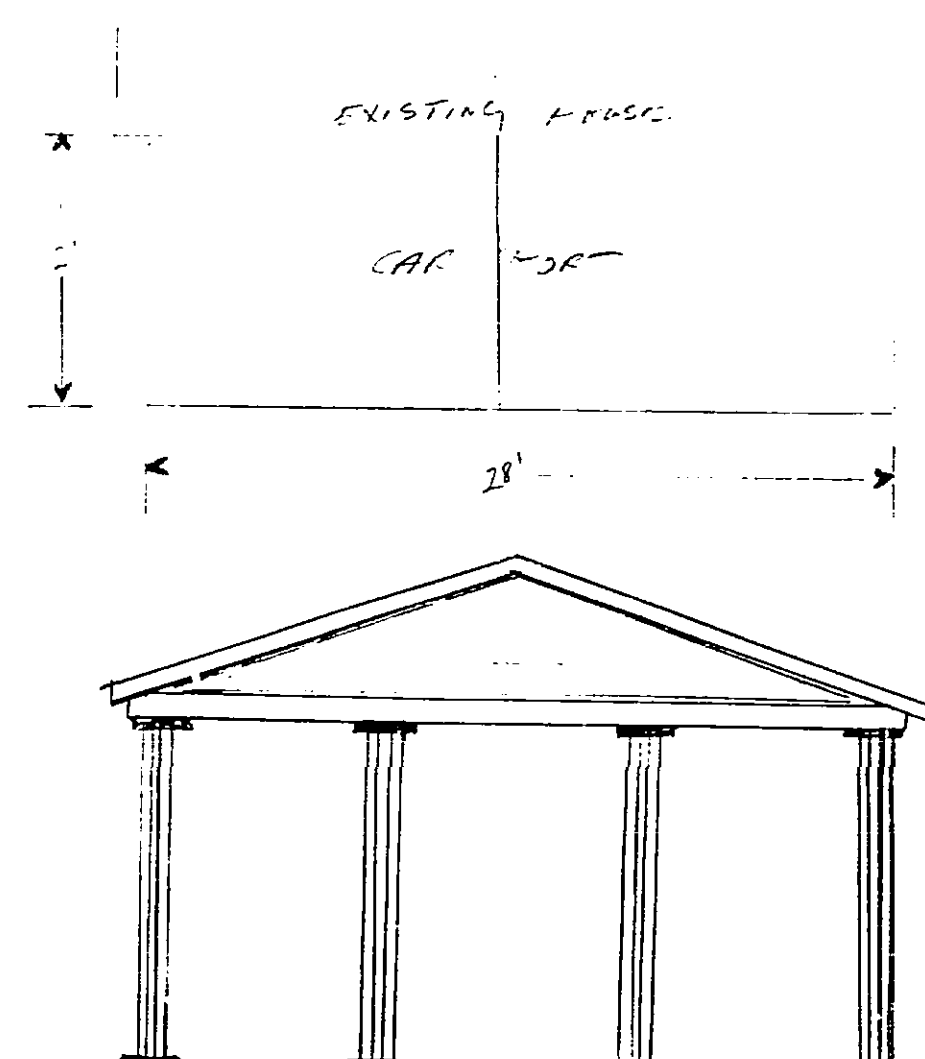
PAGE 2

DRIVEWAY:

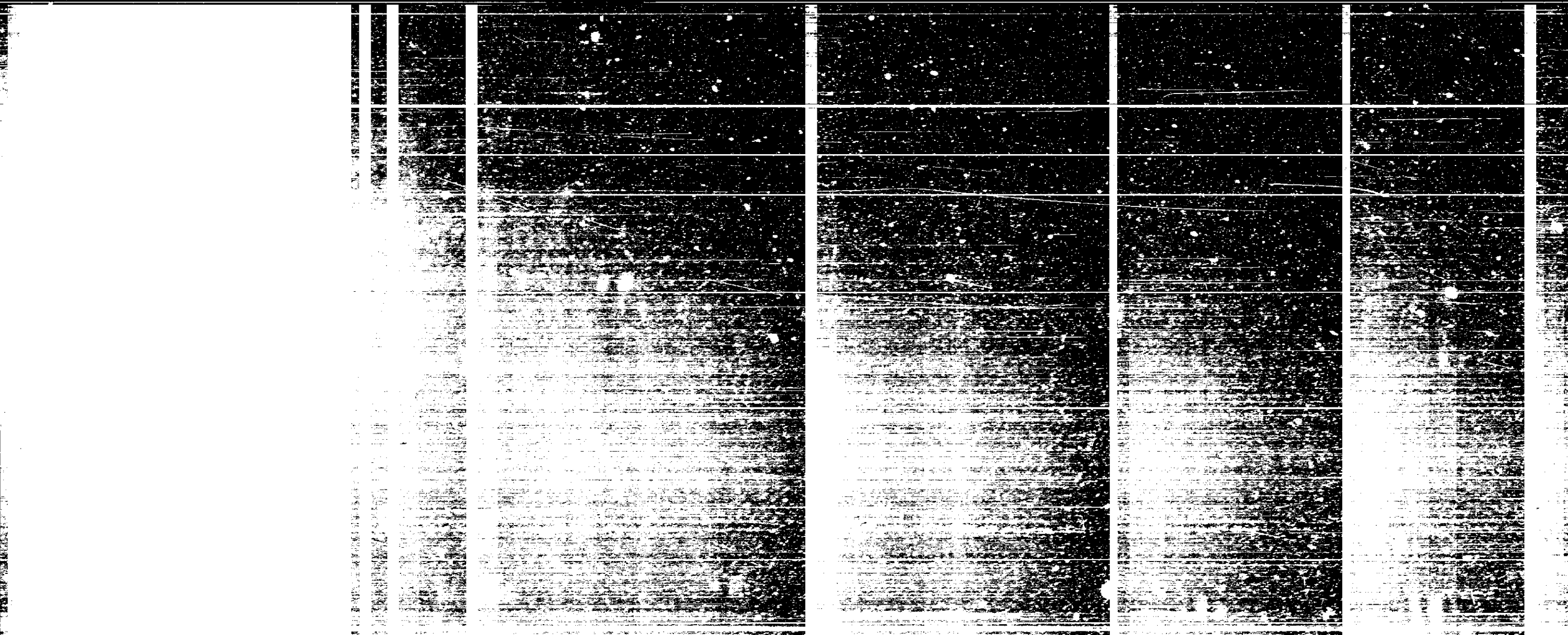
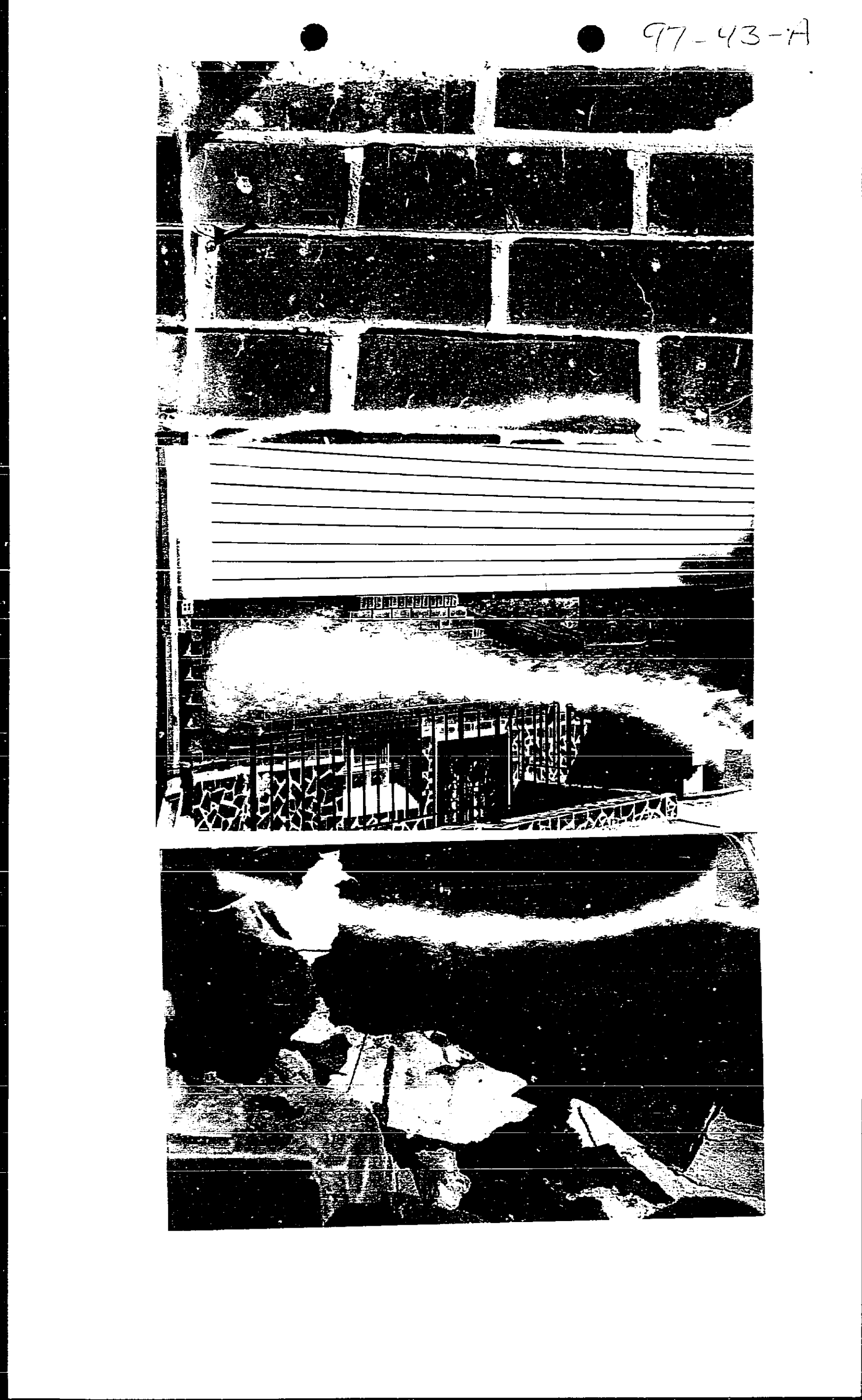
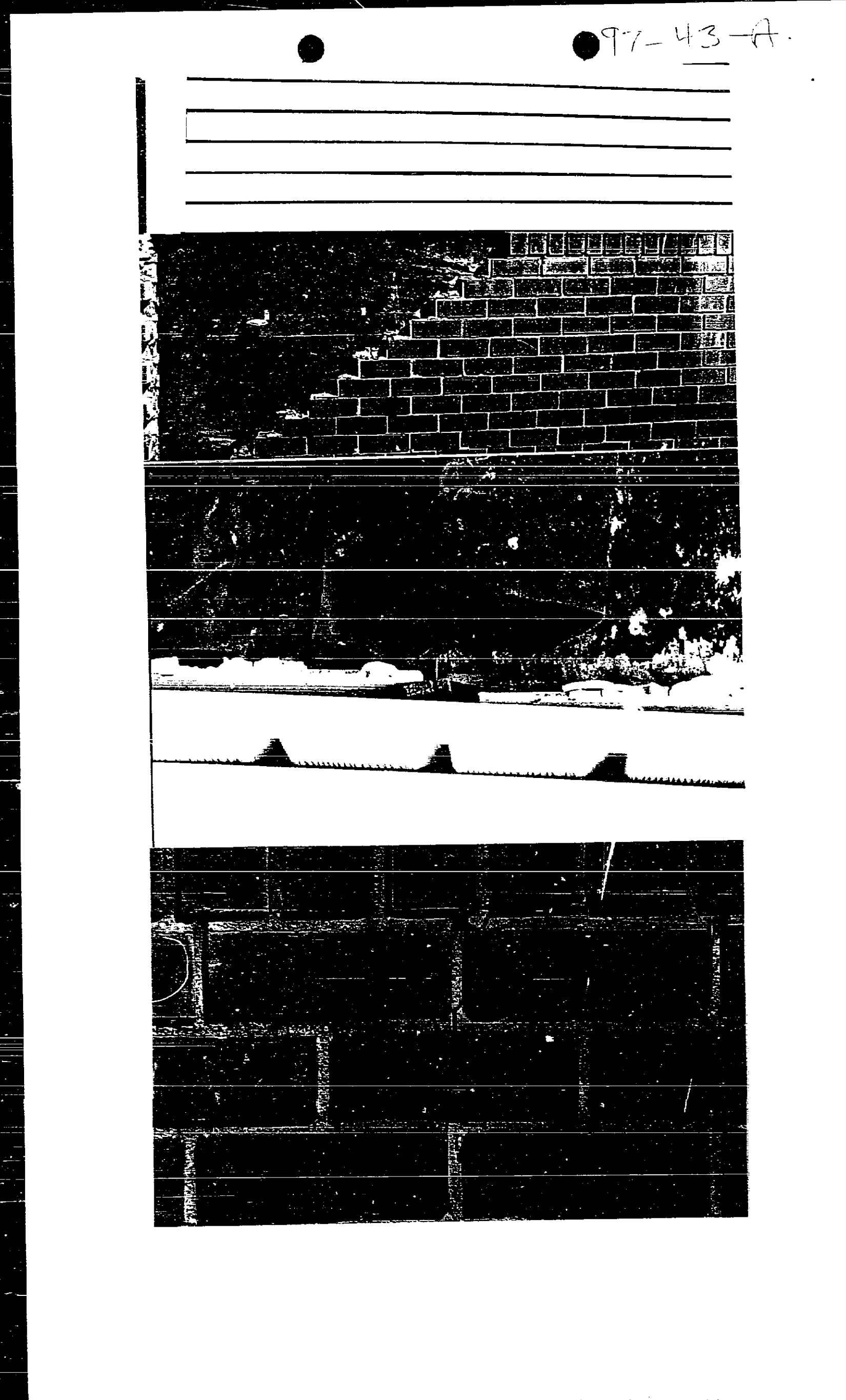
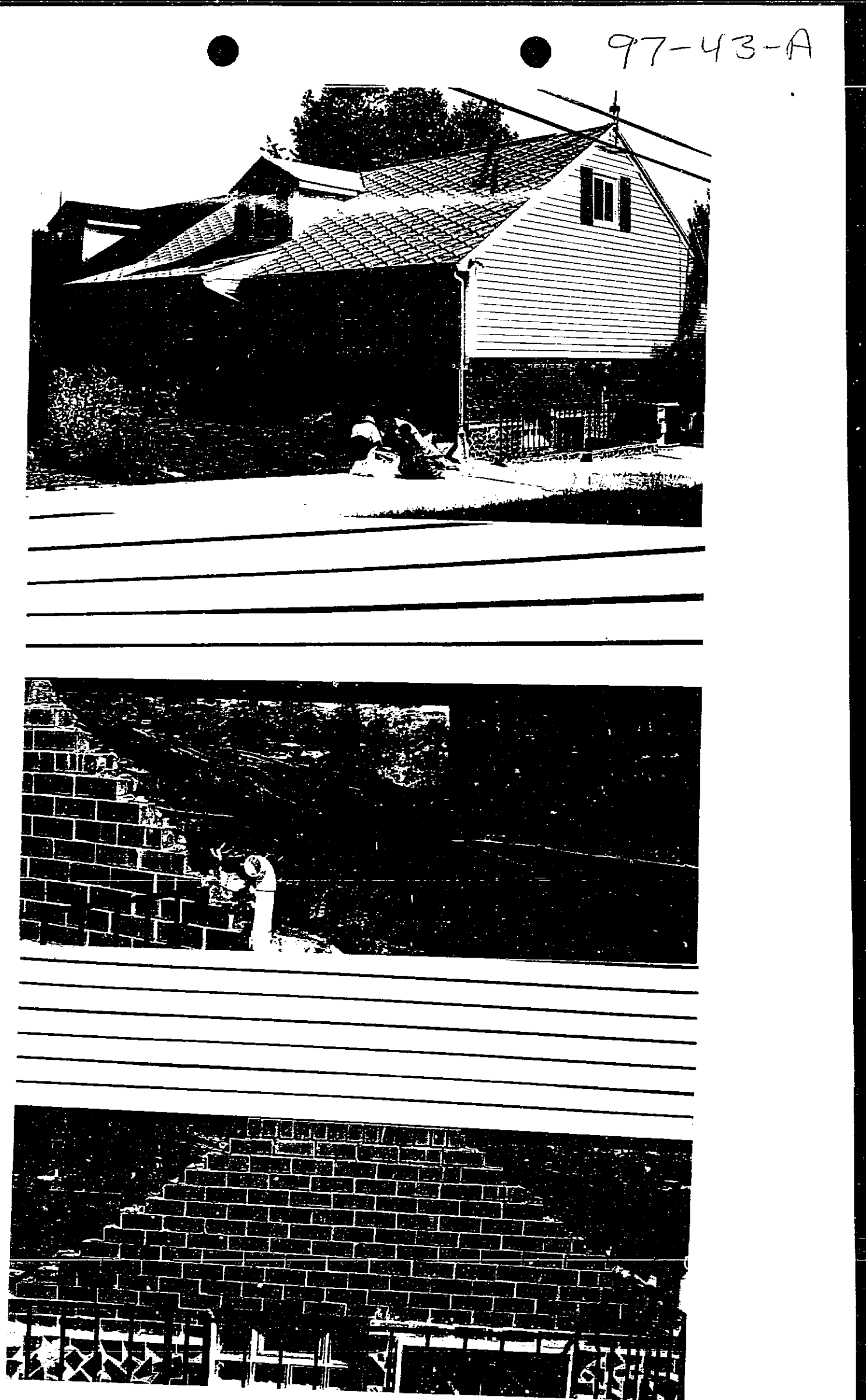
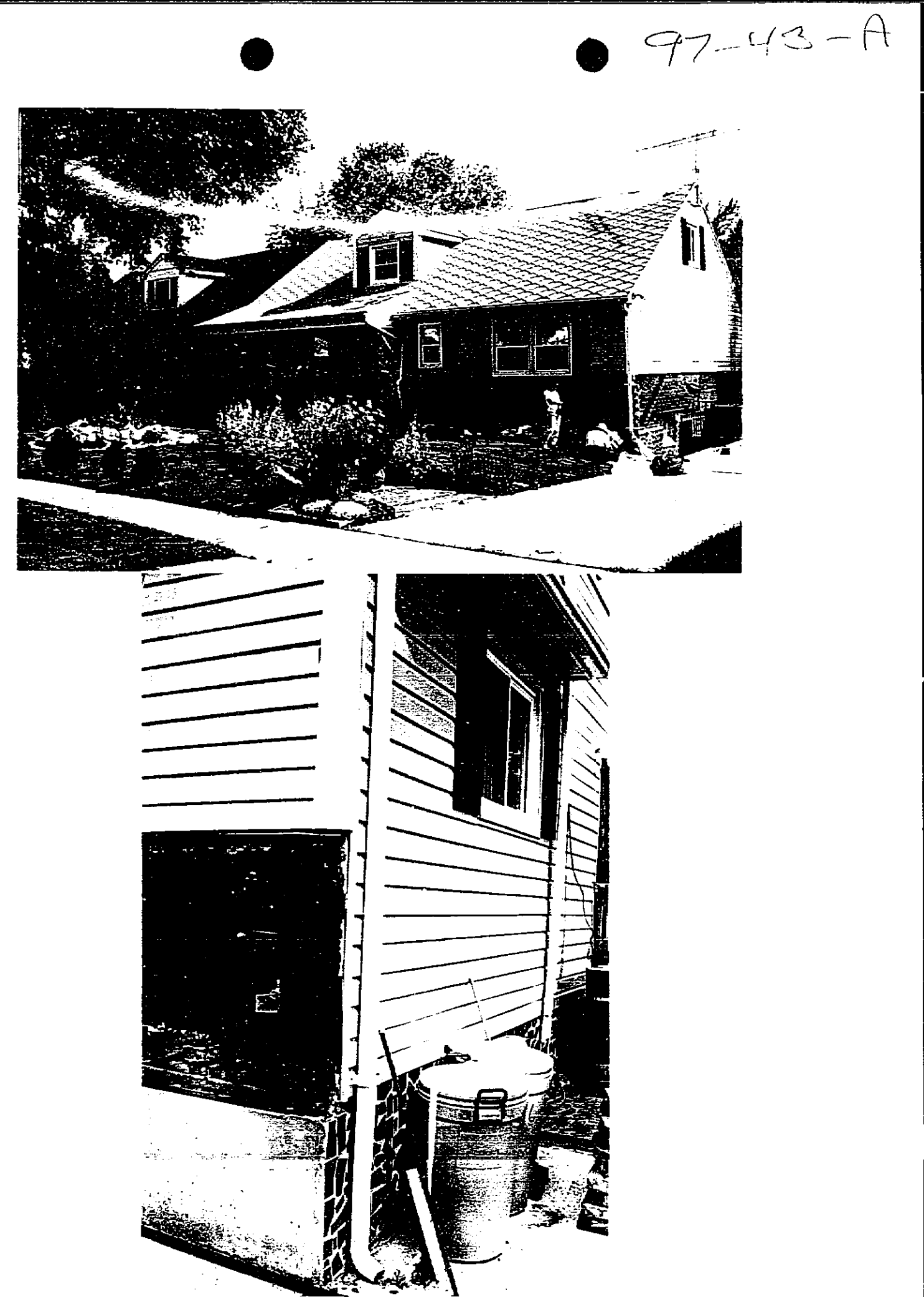
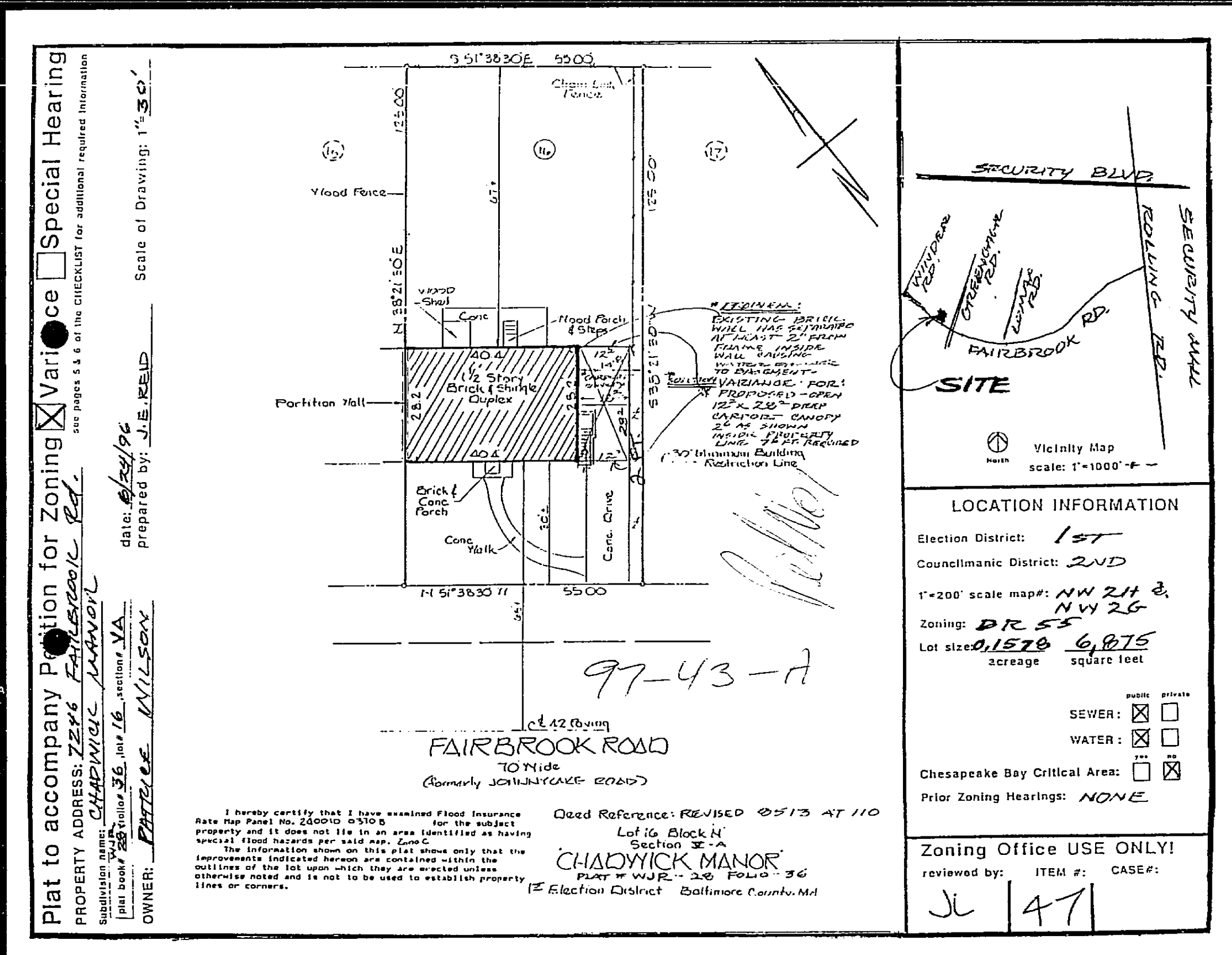
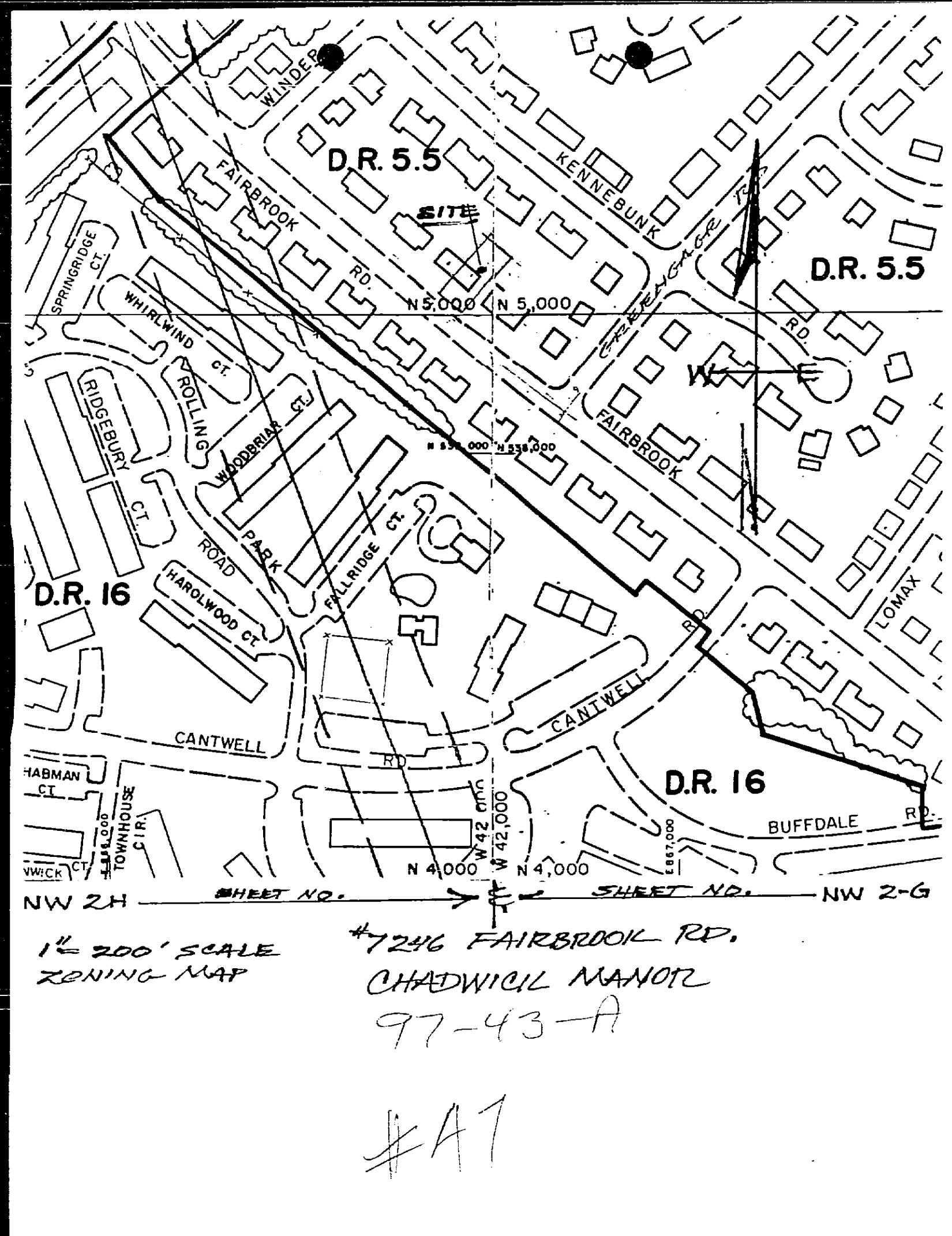
1. INSTALL CONCRETE DRIVEWAY APPROX. 800 S/F. 4" THICK WITH GRAVEL BASE. FORM AND PLACE #10 W/M PLACE EXPANSION JOINTS AS NEEDED. FINISH AND REMOVE FORMS. INSTALL CORRUGATED PIPES FOR UNDERGROUND DRAINAGE.

CARPORT:

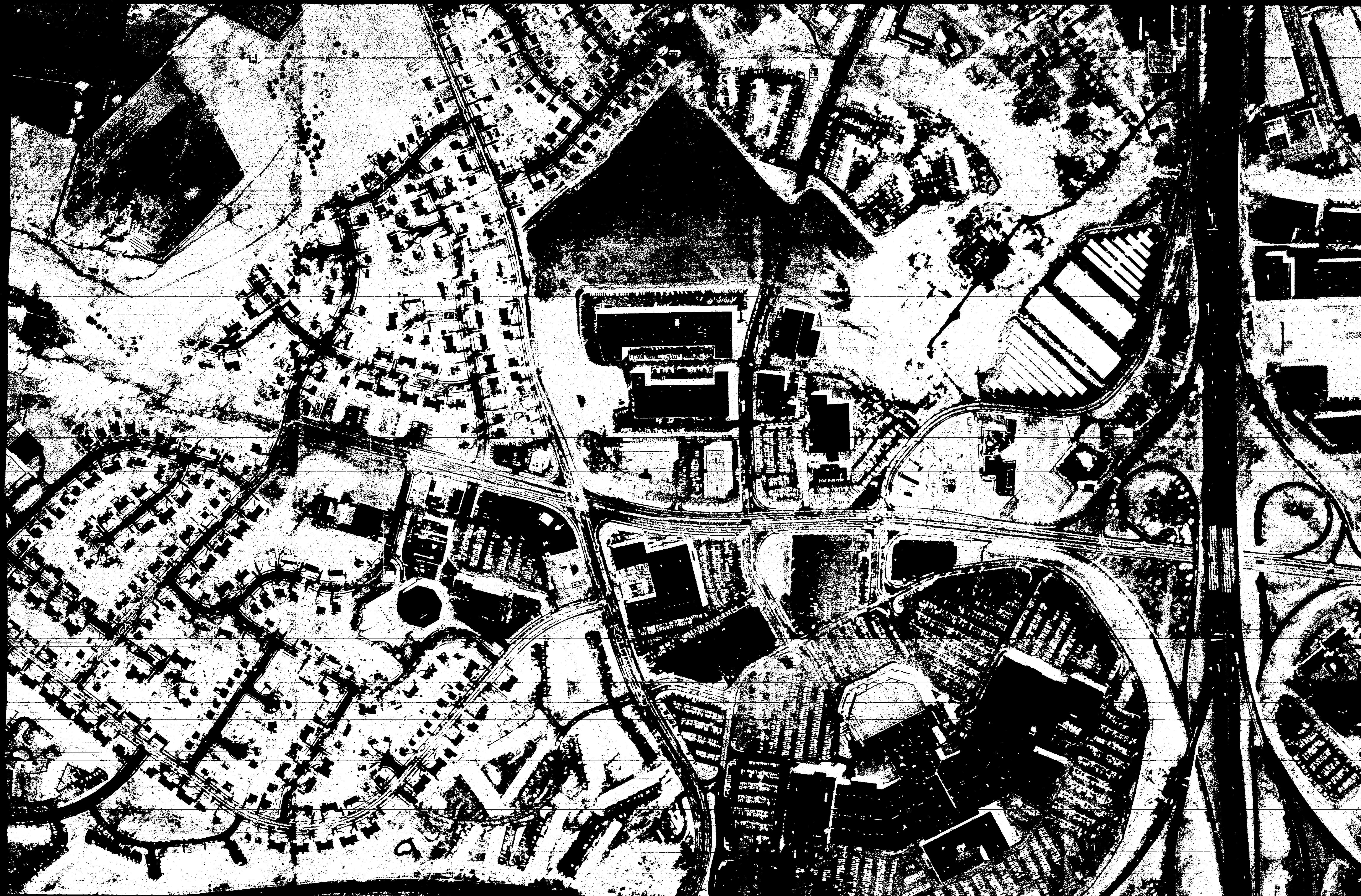
2. INSTALL CARPORT APPROX. 12'x28' WITH FOUR (4) 4"x4" PRESSURE TREATED SUPPORT POST WITH 2"x10" DOUBLE PLATED HEADERS, A FRAME ROOF WITH 2"x4" RAFTER AND CEILING JOINTS COVERED WITH 1/2" CDX PLYWOOD SHEATHING COVERED WITH #15 FELT PAPER AND 20 YR. FIBERGLASS SHINGLES. TWO (2) ALUMINUM GUTTERS AND DOWNSPOUTS. INSTALL VINYL SIDING ON GABLE END TO MATCH EXISTING SIDING. TRIM ALL FASCIA WORK WITH WHITE ALUMINUM COIL STOCK. COVER UNDERSIDE WITH WHITE VINYL SOFFIT. INSTALL FOUR (4) WHITE ALUMINUM COLUMNS. REMOVE ALL DEBRIS FROM PREMISES.











#47

97-43-A

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±	LOCATION BELMONT	SHEET N.W. 2-6
DATE OF PHOTOGRAPHY JANUARY 1988		

MICROFILM